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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/993,785	LIU ET AL.
		Examiner	Art Unit
		Vitali Korobov	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 November 2001</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>14 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1 – 20 are presented for examination.

Specification

2.   35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: line 16, page 9, line 22, page10 and numerous other paragraphs throughout Specification.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 8 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,154,772 by Dunn et al. (Dunn).

4.   With respect to claim 1, Dunn teaches a method for downloading data to a

portable electronic device, in which a data source management center integrates data

provided by publishers or authors, and informs a service management center to retrieve

the data for allowing a user to download and browse the data by using a portable

electronic device; the method comprising the steps of: (1) converting the data via the

data source management center into electronic files, and transmitting the electronic files

to the service management center, wherein the transmitted electronic files are stored in

a file database of the service management center (Fig. 4, items 109 – conversion, and

200 - storage); (2) determining via the service management center if the user with the

portable electronic device submits a request for downloading an electronic file, wherein

if the downloading request is submitted, the service management center determines if

the user is an authorized member thereof (Col. 3, lines 1 – 4), and step (3) is proceeded

(Fig. 1B is a flow chart illustrating the manner in which a user requests the data); if no

downloading request is received by the service management center, the step (2) is

returned; and (3) inquiring the user via the service management center to register for

membership if the user is not an authorized member; retrieving a corresponding

electronic file for downloading as requested by the user from the file database via the

service management center, and transmitting the retrieved electronic file to the portable

electronic device if the user is an authorized member (Fig. 8, module 327 – Subscriber

setup and control).

5.   With respect to claim 2, Dunn teaches the method of claim 1, wherein in

the step (1), prior to transmitting the electronic files to the service management center,

the electronic files are encoded so as to avoid unauthorized retrieval of the electronic

files (Col. 1, lines 54 – 56).

6.   With respect to claim 3, Dunn teaches the method of claim 2, wherein

after the service management center retrieves the encoded electronic file for

downloading from the file database, the step (3) further comprises the steps of: (3-1)

dividing the retrieved encoded electronic file into sections via the service management

center; (3-2) placing the sections of the divided encoded electronic file in a dividing

order into a temporary storing region of the service management center in a stack form;

and (3-3) retrieving the sections of the divided encoded electronic file via the service

management center from the temporary storing region in a first-in-first-out manner, and

converting the file sections into displayable format of the portable electronic device, so

as to transmit the file sections to the portable electronic device, wherein the portable

electronic device stores the received file sections in sequence in a download storing

region, allowing the user to browse the electronic file. (See Fig. 5 and 6, Video Control

Module, where payload data is extracted and combined with control, program guide,

software update and possibly other data, as per teachings in Col. 9, lines 42 – 50. The

limitation "first-in-first-out" is inherently present, since people usually do not watch

movies backward. See also Col. 16, lines 33 - 36).

7.   With respect to claim 4, Dunn teaches the method of claim 3, wherein the

step (3-3) further comprises the steps of: (3-3-1) determining via the service

management center if the sections of the electronic file are completely transmitted,

wherein if the transmission is complete, then step (3-3-2) is proceeded; or else, the step

(3-3-1) is returned (Col. 21, lines 30 – 36 – control block); and (3-3-2) establishing a

record of bill data via the service management center for charging communication time

spent for downloading the electronic file by using the portable electronic device, and

storing the bill data in a bill database of the service management center to be used as

invoice reference for charging the user with the portable electronic device (Col. 21, lines

36 – 39 – upload of billing information).

8.   With respect to claim 5, Dunn teaches a method for downloading data to a

portable electronic device, in which a data source management center integrates data

provided by publishers or authors, and informs a service management center to retrieve

the data for allowing a user to download and browse the data by using a portable

electronic device; the method comprising the steps of: (1) converting the data via the

data source management center into electronic files, and encoding the electronic files to

be stored in a file database of the data source management center (Fig. 4, items 109 –

conversion, and 200 - storage); (2) transmitting the encoded electronic files via the data

source management center through a network to the service management center (Col.

5, line 59 – TPCC), and storing the encoded electronic files via the service management

center in a file database thereof (Col. 5, lines 56 – 64, encoded MPEG-2); (3)

determining via the service management center if the user with the portable electronic

device submits a request for downloading an electronic file, wherein if the downloading

request is submitted, the service management center determines if the user is an

authorized member thereof, and step (4) is proceeded (Fig. 8, module 327 – subscriber

setup and control); if no downloading request is received by the service management

center, the step (3) is returned; (4) inquiring the user via the service management center

to register for membership if the user is not an authorized member (Fig. 8, module 327

– subscriber setup and control); retrieving a corresponding encoded electronic file for

downloading as requested by the user from the file database via the service

management center, and transmitting the retrieved electronic file to the portable

electronic device if the user is an authorized member (Fig. 1B, item 56); (5) dividing the

retrieved encoded electronic file into sections via the service management center (Fig.

4, module 200 receives encoded data from 109 through multiplexer 111); (6) placing the

sections of the divided encoded electronic file in a dividing order into a temporary

storing region of the service management center in a stack form (Fig. 4, Video Control

Shelf); (7) retrieving the sections of the divided encoded electronic file via the service

management center from the temporary storing region in a first-in-first-out manner, and

converting the file sections into displayable format of the portable electronic device, so

as to transmit the file sections to the portable electronic device, wherein the portable

electronic device stores the received file sections in sequence in a download storing

region (See Fig. 5 and 6, Video Control Module, where payload data is extracted and

combined with control, program guide, software update and possibly other data, as per

teachings in Col. 9, lines 42 – 50. The limitation "first-in-first-out" is inherently present,

since people usually do not watch movies backward. See also Col. 16, lines 33 - 36); (8)

determining via the service management center if the sections of the electronic file are

completely transmitted, wherein if the transmission is complete, then step (9) is

proceeded; or else, the step (7) is returned (Fig. 8, module 333 – management of bi-

directional transfer of information); (9) establishing a record of bill data via the service management center for charging communication time spent for downloading the electronic file by using the portable electronic device, and storing the bill data in a bill database of the service management center to be used as reference for charging the user with the portable electronic device (Col. 21, lines 36 – 39 – upload of billing information); and (10) decoding the encoded electronic file in the download storing region via a decoding module of the portable electronic device, for allowing the user to read the decoded electronic file. (Col. 1, lines 58 – 60, converter box).

9.   With respect to claim 6, Dunn teaches the method of claim 5, wherein in the step (9), after storing the established record of bill data in the bill database, the service management center performs a first payment sharing process, so as to assign a portion of payment from the user to the data source management center, and generate a record of firstly shared bill data to be uploaded to the data source management center, for being used as reference of payment from the service management center to the data source management center. (Fig. 8, Databases 331, 332, Database view 334 and interface module 337. See Col. 12, lines 3 – 6).

10.   With respect to claim 7, Dunn teaches the method of claim 6, wherein after receiving the firstly shared bill data, the data source management center performs a second sharing process for the received firstly shared bill data in a manner that, a portion of payment left after completing the first sharing process is assigned to a source provider, and a record of secondly shared bill data is generated to be stored in a bill database of the data source management center, for being used as reference of

payment to the source provider. (Fig. 8, PPV billing (332) to source provider, bill

conversion (337). See Col. 12, lines 11 – 13).

11.   With respect to claim 9, Dunn teaches the method of claim 5, wherein the

portable electronic device is internally formed with a reading platform for retrieving the

electronic file downloaded from the service management center, so as to display

content of the retrieved electronic file on the portable electronic device for being

browsed and read by the user. (Fig. 8, Module 329, distribution of channel mapping

and program guide information).

12.   With respect to claim 10, Dunn teaches a method for downloading data to

a portable electronic device, in which a data source management center integrates

data provided by publishers or authors, and informs a service management center to

retrieve the data for allowing a user to download and browse the data by using a

portable electronic device; the method comprising the steps of: (1) converting the data

via the data source management center into electronic files, and encoding the

electronic files to be stored in a file database of the data source management center

(Fig. 4, items 109 – conversion, and 200 - storage); (2) transmitting the encoded

electronic files via the data source management center through a network to the

service management center, and storing the encoded electronic files via the service

management center in a file database thereof (Fig. 4, Control Center 100, transmission

step 119); (3) informing the user through a network to register membership in the

service management center, wherein the user inputs associated data of a login

account, an identification number and a communication number; establishing a record

of member data according to the inputted associated data, and storing the member

data in a member database of the service management center (Fig. 8, module 327); (4)

determining via the service management center if the user with the portable electronic

device submits a request for downloading an electronic file, wherein if the downloading

request is submitted, the service management center determines if the user is an

authorized member thereof (Fig. 1B, step 56, Fig. 8, module 327), and step (5) is

proceeded; if no downloading request is received by the service management center,

the step (4) is returned (Fig. 8, user interface 326); (5) retrieving a corresponding

encoded electronic file for downloading as requested by the user from the file database

via the service management center, and dividing the retrieved encoded electronic file

into sections (See Fig. 5 and 6, Video Control Module, where payload data is extracted

and combined with control, program guide, software update and possibly other data, as

per teachings in Col. 9, lines 42 – 50); (6) placing the sections of the divided encoded

electronic file in a dividing order into a temporary storing region of the service

management center in a stack form (Col. 5, lines 37 – 40); (7) retrieving the sections of

the divided encoded electronic file via the service management center from the

temporary storing region in a first-in-first-out manner, and converting the file sections

into displayable format of the portable electronic device, so as to transmit the file

sections to the portable electronic device, wherein the portable electronic device stores

the received file sections in sequence in a download storing region (The limitation "first-

in-first-out" is inherently present, since people usually do not watch movies backward.

See also Col. 16, lines 33 - 36); (8) determining via the service management center if

the sections of the electronic file are completely transmitted (Fig. 8, module 333 –

management of bi-directional transfer of information), wherein if the transmission is

complete, then step (9) is proceeded; or else, the step (7) is returned (Fig. 8, status

display); (9) establishing a record of bill data via the service management center for

charging communication time spent for downloading the electronic file by using the

portable electronic device, and storing the bill data in a bill database of the service

management center to be used as reference for charging the user with the portable

electronic device (Fig. 8, module 337); (10) performing a first payment sharing process

via the service management center to assign a portion of payment from the user to the

data source management center, and generating a record of firstly shared bill data to

be uploaded to the data source management center, for being used as reference of

payment from the service management center to the data source management center

(Col. 21, lines 36 – 39 – upload of billing information); (11) performing a second

sharing process for the received firstly shared bill data via the data source

management center in a manner that, a portion of payment left after completing the

first sharing process is assigned to a source provider, and generating a record of

secondly shared bill data to be stored in a bill database of the data source

management center, for being used as reference of payment to the source provider

(Fig. 8, module 337, separate billing for telco and PPV services); and (12) decoding the

encoded electronic file in the download storing region via a decoding module of the

portable electronic device, for allowing the user to read the decoded electronic file (Col.

1, line 58 – 60, converter box).

13.   With respect to claim 11, Dunn teaches a system for downloading data to

a portable electronic device, comprising: a data source and service management

center for receiving data and converting the data into electronic files to be stored in a

file database of the data source and service management center (Fig. 4, module 108,

module 200), and for establishing a record of member data including a login account,

an identification number and a communication number (Fig. 8, module 331) for a user

who firstly logins the data source and service management center, so as to construct a

record of dedicated personal file data corresponding to the record of the member data,

for being browsed by the user (Fig. 8, module 337); and at least one user who is

wirelessly connected to the data source and service management center by using a

portable electronic device (Col. 6, lines 21 – 25), wherein after the use is verified as a

member of the data source and service management center, a corresponding record of

dedicated personal file data is transmitted to the portable electronic device, allowing

the user to browse introduction information of electronic files in the personal file data;

after the user submits a request for downloading a selected electronic file, the data

source and service management center searches from the file database for a

corresponding electronic file, and transmits the searched electronic file to the portable

electronic device, for allowing the user to browse and read the transmitted electronic

file (Fig. 1B, steps 51, 52, 54, 56).

14.   With respect to claim 12, Dunn teaches a system for downloading data to

a portable electronic device, comprising: a data source and service management

center for receiving data and converting the data into electronic files that are encoded

and stored in a file database of the data source and service management center (Col.

1, lines 54 – 56), and for establishing a record of member data to be stored in a

member database, so as to verify if a user who submits a login request is a member of

the data source and service management center (Fig. 8, modules 327, 337), and allow

the user to download required electronic files from the data source and service

management center if the user is verified with membership, wherein the data source

and service management center constructs a record of dedicated personal file data for

the user, to be browsed by the user for introduction and latest information of electronic

file in the personal file data, allowing the user to delete or retain the information if

necessary (Fig. 8, modules 326, 327); and at least one user who is connected through

a network to the data source and service management center by using a computer

device, wherein after the use is permitted to login the data source and service

management center, a corresponding record of dedicated personal file data is

transmitted to the user for browsing (Fig. 8, module 326); the user is able to be

wirelessly connected to the data source and service management center by using a

portable electronic device (Col. 6, lines 21 – 25), and after the use is verified as a

member of the data source and service management center, a corresponding record of

dedicated personal file data is transmitted to the portable electronic device, allowing

the user to browse introduction information of electronic files in the personal file data

for selection (Fig. 8, module 326 – program guides, channel maps, etc.); after the user

submits a request for downloading a selected electronic file, the data source and

service management center searches from the file database for a corresponding

encoded electronic file, and divides the searched encoded electronic file into sections

to be transmitted to the portable electronic device (Fig. 1B, step 56) allowing a

decoding module of the portable electronic device to decode the transmitted encoded

electronic file, and the user to browse and read the decoded electronic file (Col. 1, lines

58 – 60).

15.   With respect to claim 13, Dunn teaches a system for downloading data to

a portable electronic device, comprising: a data source management center for

receiving data through a network and converting the data into electronic files that are

encoded and stored in a file database of the data source management center (Col. 1,

lines 58 – 60); a service management center for transmitting the encoded electronic

files from the file database of the data source management center to a file database of

the service management center (Fig. 4, modules 108, 200), and for establishing a

record of member data to be stored in a member database thereof, so as to verify if a

user who submits a login request is a member of the service management center, and

allow the user to download required electronic files from the service management

center if the user is verified with membership (Fig. 8, modules 331, 332, 337), wherein

the service management center constructs a record of dedicated personal file data for

the user, to be browsed by the user for introduction and latest information of electronic

file in the personal file data, allowing the user to delete or retain the information if

necessary (Fig. 8, modules 326); and at least one user who is connected through a

network to the service management center by using a computer device, wherein after

the use is permitted to login the service management center, a corresponding record of

dedicated personal file data is transmitted to the user for browsing (Fig. 1B); the user is able to be wirelessly connected to the service management center by using a portable electronic device, and after the use is verified as a member of the service management center, a corresponding record of dedicated personal file data is transmitted to the portable electronic device, allowing the user to browse introduction information of electronic files in the personal file data for selection (Fig. 8, module 326); after the user submits a request for downloading a selected electronic file, the service management center searches from the file database for a corresponding encoded electronic file, and divides the searched encoded electronic file into sections to be transmitted to the portable electronic device (See Fig. 5 and 6, Video Control Module, where payload data is extracted and combined with control, program guide, software update and possibly other data, as per teachings in Col. 9, lines 42 – 50), allowing a decoding module of the portable electronic device to decode the transmitted encoded electronic file, and the user to browse and read the decoded electronic file (Col. 1, lines 58 – 60, converter box).

16.   With respect to claim 14, Dunn teaches the system of claim 13, wherein the member data stored in the member database of the service management center include a login account, an identification number and a communication number inputted by the user, and are used as reference for the service management center to verify identity of a user who submits a login request (Fig. 8, modules 331, 332, 334, 337).

17.   With respect to claim 15, Dunn teaches the system of claim 13, wherein

the service management center has a bill database, for storing a record of bill data

established by the service management center for charging a process of transmitting

the encoded electronic file to the user by the service management center, and the bill

data are used as invoice reference for charging the user (Fig. 8, module 337).

18.   With respect to claim 17, Dunn teaches the system of claim 15, wherein

after storing the bill data in the bill database, the service management center performs

a first payment sharing process, so as to assign a portion of payment from the user to

the data source management center, and generate a record of firstly shared bill data to

be uploaded to the data source management center, for being used as reference of

payment from the service management center to the data source management center

(Fig. 8, modules 331, 332, 334, 337).

19.   With respect to claim 18, Dunn teaches the system of claim 17, wherein

after receiving the firstly shared bill data, the data source management center performs

a second sharing process for the received firstly shared bill data in a manner that, a

portion of payment left after completing the first sharing process is assigned to a

source provider, and a record of secondly shared bill data is generated to be stored in

a bill database of the data source management center, for being used as reference of

payment to the source provider (Fig. 8, modules 331, 332, 334, 337).

20.   With respect to claim 19, Dunn teaches the system of claim 18, wherein

the secondly shared bill data stored in the bill database of the data source

management center include fees of online communication and data downloading paid

by the service management center to the data source management center, and fees of

online communication and data downloading paid by the data source management

center to the source provider. (Fig. 8, modules 331, 332, 334, 337).

     21.   With respect to claim 20, Dunn teaches a system for downloading data to

a portable electronic device, comprising: a data source management center for

receiving data through a network from a source provider and transmitting the data to a

service management center (Fig. 4, items 128, 126, 124); the data source

management center including a receiving module for receiving the data from the

source provider (Fig. 4, items 104, 108); a converting module for converting the

received data into electronic files that are encoded and stored in a file database of the

data source management center (Fig. 4, items 109); an encoding module for encoding

the electronic files (Col. 1, 54 – 56); a file database for storing the encoded electronic

files (Fig. 4, module 200); a transmitting module for transmitting the encoded electronic

files to the service management center (Fig. 4, items 111); a billing module for

performing a payment sharing process for bill data transmitted from the service

management center, and accordingly generating a record of shared bill data to be used

as reference of payment to the source provider (Fig. 8, modules 331, 332, 334, 337); a

bill database for storing the shared bill data generated by the billing module; and a

provider database for storing basic information of the source provider, so as to transmit

the shared bill data to the source provider according to a living address or an email

address of the source provider recorded in the basic information thereof (Fig. 8,

modules 331, 332, 334, 337); a service management center for receiving the encoded

electronic files from the data source management center, allowing a user who is a

member of the service management center to download the encoded electronic files

(Fig. 8, module 326); the service management center including a receiving module for

receiving the encoded electronic files from the data source management center (Fig. 4,

Fig. 5, module 100); a file database for storing the received encoded electronic files

(Fig. 4, modules 104, 108, 109, 200); a member database for storing a record of

member data established by the service management center according to a login

account, an identification number and a communication number inputted by the user

who registers in the service management center, wherein the member data are used

as reference for user's identity identification (Fig. 8, modules 331, 332, 334, 337); a

personal file database for storing a record of dedicated personal file data established

according to the member data of the user, wherein the personal file data are browsed

by the user for introduction and latest information of electronic file after the user logins

the service management center, allowing the user to delete or retain the information if

necessary (Fig. 8, module 327); a selecting module for allowing the user to browse

introduction information of electronic files in the personal file data for selection, and

searching from the file database for a corresponding encoded electronic file after the

user with a portable electronic device submits a request for downloading a selected

electronic file (Fig. 8, module 326); a transmitting module for dividing the searched

encoded electronic file into sections and converting the file sections into displayable

format of the portable electronic device, so as to transmit the file sections in sequence

to the portable electronic device (Col. 9, lines 42 – 51); a billing module for establishing

a record of bill data for charging the user by the service management center; and a bill

database for storing the bill data established by the billing module, wherein the bill

database is also transmitted by the transmitting module to the data source

management center for performing the payment sharing process (Fig. 8, modules 331,

332, 334, 337); and a user who is connected through a network to the service

management center by using a computer device, wherein after the use is permitted to

login the service management center, a corresponding record of dedicated personal

file data is transmitted to the user for browsing (Fig. 8, modules 327, 326); the user is

able to be wirelessly connected to the service management center by using a portable

electronic device, and after the use is verified as a member of the service management

center, a corresponding record of dedicated personal file data is transmitted to the

portable electronic device, allowing the user to browse introduction information of

electronic files in the personal file data for selection (Fig. 8, modules 327, 326); after

the user submits a request for downloading a selected electronic file, the service

management center searches from the file database for a corresponding encoded

electronic file, and divides the searched encoded electronic file into sections to be

transmitted to the portable electronic device (See Fig. 5 and 6, Video Control Module,

where payload data is extracted and combined with control, program guide, software

update and possibly other data, as per teachings in Col. 9, lines 42 – 50); the portable

electronic device includes a temporary storing region for storing the encoded electronic

file transmitted from the service management center (Col. 5, lines 37 – 41); a decoding

module for decoding the encoded electronic file stored in the temporary storing region

(Col. 1, lines 58 – 60, converter box); and a reading platform for allowing the user to

browse the decoded electronic file displayed on the portable electronic device (Fig. 1A,

items 1355, 1365).

Claim Rejections - 35 USC § 103

22.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed
> or described as set forth in section 102 of this title, if the differences between the
> subject matter sought to be patented and the prior art are such that the subject
> matter as a whole would have been obvious at the time the invention was made
> to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was
> made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claim 8, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dunn in view of U.S. Patent Application Publication No. 2002/0069165 A1 by O'Neil

(O'Neil).

23.   With respect to claim 8, Dunn teaches the method of claim 5, but fails to

explicitly teach said method wherein the service management center periodically

retrieves the bill data from the bill database thereof to balance a bill statement, that is

e-mailed through a network to a network post server for allowing the user to receive the

bill statement through network connection established by a computer device to the

network post server, or that is transmitted in a form of a wireless communication short

message to a message center for allowing the user to receive the bill statement

through wireless connection established by the portable electronic device to the

message center. O'Neil teaches a method of downloading data wherein the service

management center periodically retrieves the bill data from the bill database thereof to

balance a bill statement, that is e-mailed through a network to a network post server for

allowing the user to receive the bill statement through network connection established

by a computer device to the network post server, or that is transmitted in a form of a

wireless communication short message to a message center for allowing the user to

receive the bill statement through wireless connection established by the portable

electronic device to the message center. (Fig. 1 and 2). Dunn and O'Neil are

analogous art because they are both generally related to wireless data

communications systems. Therefore, it would have been obvious to one having

ordinary skills in the art at the time the invention was made to modify Dunn by

implementing teachings of O'Neil. A person of ordinary skills in the art would be

motivated to incorporate O'Neil in Dunn in order to shorten bill payment cycle.

24.   With respect to claim 16, it is rejected in view of the above rejection of
claim 8. Claim 16 is essentially the same as claim 8, except that it sets forth the
invention as a system rather than a method.

Conclusion

25.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure:

U.S. Patent Application Publication No. 20030046182 by Hartman. A list of
several publications is presented to the user, who makes a selection indicating one of
the publications. A list of issues of the selected publication is presented to the user,
who selects an issue. A table of contents of the selected issue is sent to the user, who
selects an article listed in the table of contents. The user pays for the selected article.
The selected article is sent to the user.

U.S. Patent Application Publication No. 20010037264 by Husemann et al. A list
of several publications is presented to the user, who makes a selection indicating one
of the publications. A list of issues of the selected publication is presented to the user,
who selects an issue. A table of contents of the selected issue is sent to the user, who
selects an article listed in the table of contents. The user pays for the selected article.
The selected article is sent to the user.

U.S. Patent Application Publication No. 20030088511 by Karboulonis et al. A
method and system for accessing and usage management of a software application
residing on a remote server and communicating with a wireless electronic
communications device is provided.

U.S. Patent Application Publication No. 20030083988 by Reith. Method and system for providing and billing internet services, applicable to both wired and wireless telephone networks.

26.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vitali Korobov whose telephone number is 571-272-7506. The examiner can normally be reached on Mon-Friday 8a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER